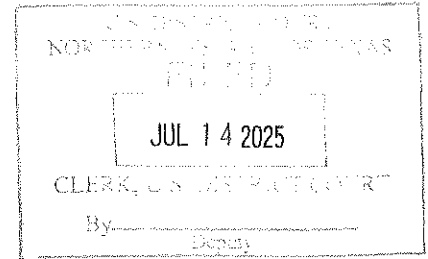


TRULINCS 20446009 - FLEMING, RHONDA ANN - Unit: CRW-I-N

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FROM: 20446009  
TO:  
SUBJECT: TRANSGENDER CIVIL COMPLAINT  
DATE: 07/08/2025 08:48:15 AM

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS



, Plaintiff,

V. NO. 4:25-CV-157-"O"  
DEMAND FOR JURY TRIAL

WARDEN T. RULE,  
FBOP DIRECTOR WILLIAM MARSHALL, III,  
UNKNOWN AUTHOR OF BOP TRANSGENDER POLICY,  
UNITED STATES OF AMERICA,  
in their individual and official capacities,  
Defendants.

## SECOND AMENDED CIVIL COMPLAINT

The Plaintiff, Rhonda Fleming, files her Second Amended Civil Complaint pursuant to 28 U.S.C. Section 1331, the Declaratory Judgment Act, 28 U.S.C. Section 2201-2202, Religious Freedom Restoration Act, U.S. Constitution, 5th & 8th Amendments, Federal Tort Claims Act(FTCA), and Federal Rules of Civil Procedure, Rule 65, for injunctive relief.

### I. INTRODUCTION

For over 10 years, the Plaintiff has had to shower and share other intimate facilities with biological males, in a women's federal prison, in the United States, in violation of her constitutional and statutory rights.

The Plaintiff has repeatedly expressed her emotional distress over this immoral conduct by federal officials at Federal Medical Center-Carswell, a women's federal prison in which she is being housed with male biological inmates.

Many of these male inmates are incarcerated for harming women and children, sexually assaulting these victims. Still, federal officials are allowing these men to see women naked in showers and stalk us. Women are denied all emotional support by Psychology Services, irrespective of the fact many were sexually abused as children by men.

The Plaintiff's ultimate goal is to receive a consent decree where no matter who the President of the United States may be, there can never again be male inmates in women's federal prisons.

### II. PARTIES

1. Plaintiff Rhonda Fleming, is a biological woman who has been incarcerated at FMC-Carswell, and numerous other federal women's prisons, with biological male inmates, in violation of her constitutional rights and statutory laws. Plaintiff Fleming is currently in custody at Federal Medical Center-Carswell.
2. Defendant Warden T. Rule is the CEO of Federal Medical Center-Carswell and is being sued in his individual and official capacity. Defendant Warden Rule has been enforcing the unconstitutional FBOP transgender policy against biological women.
3. Defendant FBOP Director William Marshall, III is the current director of the federal prison system. Defendant Director Marshall is listed as a Defendant to allow the Court to issue any orders to enjoin the FBOP from violating President Trump's Executive Order to remove all male inmates out of women's prisons, thus is being sued in his official capacity only.
4. Defendant Unknown Author of Transgender Policy, who intentionally, willfully and reckless promoted a policy which has harmed the Plaintiff.
5. Defendant United States of America is liable pursuant to the Federal Tort Claims Act.

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### III. JURISDICTION AND VENUE

4. The Court has jurisdiction over this Complaint pursuant to 28 U.S.C. Section 1331-1332, the Declaratory Judgment Act, 28 U.S.C. Section 2201-2202, FTCA, Bivens, and the Religious Freedom Restoration Act.
5. The administrative remedy procedure has been exhausted and/or was never available. The Plaintiff made several requests for administrative remedy forms, which were never provided. The Plaintiff has written proof of her request for forms which were never answered. The 6-month time limit for a response pursuant to the FTCA has expired. *EX-A*
6. Venue is proper because there are ongoing constitutional violations. Additionally, the Defendants are violating Texas State Penal Code 21.17, within this district, by allowing male inmates to commit voyeurism, a sex crime.

### III. FACTUAL ALLEGATIONS

7. All Defendants have a transgender policy which forces biological women inmates to live with biological male inmates who claim to be "transwomen." This policy is an intentional invasion of bodily privacy of the Plaintiff, a biological woman.
8. The historical norm for the protection of women has been sex-segregated prisons. This policy was enacted without any input from women's groups opposed to men in women's prisons, by Defendant Unknown, who recklessly and negligently promoted a politically ideology, over compliance with federal and state laws protecting bodily privacy.
9. Federal Medical Center-Carswell is a women's federal prison. The Defendants are allowing biological male inmates who claim to be women, to be housed with the Plaintiff, a biological woman, and invasion of bodily privacy and religious beliefs.
10. The Plaintiff is forced to shower and use other intimate facilities with biological male inmates. These male inmates routinely view the Plaintiff naked in the showers and when she is using the toilet. The Plaintiff is denied bodily privacy at FMC-Carswell. The Plaintiff lives in a prison with 25 or more biological male inmates. At least 3 have stalked the Plaintiff while naked in the showers, committing voyeurism.
11. The Plaintiff has been sexually harassed by 3 particular male inmates. No action has been taken to prevent this inappropriate conduct. Defendant Warden Rule Ignored the likelihood of sexual abuse of the Plaintiff by placing men in prison with her.
12. Voyeurism, in violation of Texas Penal Code 21.17, a sex crime, is allowed at FMC-Carswell. Male inmates are allowed by Defendant Warden T. Rule to see the Plaintiff and other women in the showers and toilet areas, while they are naked. Hundreds of complaints have been made to Defendant Warden Rule and Unknown Author, which were ignored.
13. The Plaintiff has made requests, in writing, asking to be removed from this emotionally distressing, dangerous, immoral situation, to Defendant Warden Rule, but he has denied all requests, refusing any accommodations. Instead, Defendant Warden Rule and his employees continue to force the Plaintiff to live in a housing unit with 5 or more biological male inmates. At least two of these male inmates are sex offenders.
14. The Plaintiff is a Christian woman. The Plaintiff's religious beliefs bar exposing her body to the opposite sex, outside of marriage. The Plaintiff refuses to worship with male inmates, alleging they are women, which is an abomination before God. The Plaintiff is denied her right to worship in the prison chapel and in Christian services, due to the presence of these male inmates.
15. Although the President has ordered a stop to "transgender lunacy," Defendant Warden Rule vigorously assisted male inmates in maintaining their "right" to be in a women's prison, by refusing to house all of the males in one housing unit. There has been a failure to protect the Plaintiff's bodily privacy rights and religious freedom.
16. The Plaintiff is suffering physical pain due to this unlawful policy, to include headaches, stomach pain, insomnia, and reasonable fear of assault by male inmates and/or prison officials angry with the Plaintiff for revealing their opposition to President Trump's executive order to remove these male inmates from the prison.
17. Defendants Warden Rule, USA, and employees has refused to make any accommodation for the Plaintiff's physical and/or emotional health, even after the President issued an executive order in support of the Plaintiff's litigation.

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18. Defendant Warden Rule has been deliberately indifferent and failed to protect the physical safety and emotional welfare of the Plaintiff. His behavior has been reckless, in refusing any and all accommodations to the Plaintiff, who has displayed sincerely held beliefs against men in women's prisons, for her bodily privacy, to stop sexual abuse, and religious freedom.

19. Defendants Warden Rule and Unknown Author were aware women would be seen in the showers and toilet areas, when they are naked, by the men in the prison. The Plaintiff has sent him numerous emails and verbally expressed her emotional distress. Both Defendants refused to protect the Plaintiff from being a victim of voyeurism by male inmates who intentionally watch the Plaintiff in the shower, while stalking and sexually harassing the Plaintiff.

20. Defendant Unknown Author pushed a transgender policy which clearly violated the rights of the bodily privacy of biological women, to include the Plaintiff, at every women's federal prison.

21. The Plaintiff lives in fear of being locked in a segregation cell with male inmates, which is the current policy enforced by Defendant Warden Rule. The Plaintiff will be punished if she refuses to be housed with a male inmate.

#### IV. CAUSES OF ACTION FOR RELIEF

22. The Plaintiff has a right to a declaratory judgment, in accordance with 28 U.S.C. Section 2201-2202, stating it is unconstitutional to force biological women to shower with biological male inmates, or be locked in segregation cells with these male inmates. This is a violation of bodily privacy from the opposite sex. It is cruel and unusual punishment, not contemplated by any sentencing court, in violation of the 5th & 8th Amendment of the U.S. Constitution.

23. The Plaintiff is currently in imminent danger of retaliation by the Defendants or attack by male inmates. The prison is full of transgender activists employees, to include one of the associate wardens, who presents as being a man, but is a biological woman.

24. Therefore, the Plaintiff requires injunctive relief for her protection, to be removed from the custody of the FBOP until this case is resolved. The Plaintiff continues to suffer irreparable harm, the invasion of bodily privacy, failure to protect, and denial religious freedom, thus requiring injunctive relief in accordance with Rule 65, for the Federal Rules of Civil Procedure.

25. The Defendants are violating the Plaintiff's 1st Amendment right to freedom of speech and religious freedom, by forcing her to worship with male inmates who allege they are women, which is an abomination before God, in the Christian faith.

26. Defendant Warden Rule is committing sex discrimination by accommodating male inmates, but not the Plaintiff. The Plaintiff brings Federal Tort Claims Act, state law violations of failure to protect, invasion of bodily privacy, gross negligence, negligence, and negligent breach of duty to protect from sexual abuse. The Defendants knew placing men in women's prisons would cause disorderly conduct, voyeurism, Peeping Tom activities, and other forms of abuse to the Plaintiff and other women.

27. The Plaintiff has suffered intentional infliction emotional distress due to the unconstitutional policies of the Defendants, and their refusal to comply with 18 USC Section 4042, which requires safe prisons. There has been a breach of duty and failure to protect the Plaintiff for over a decade due to the transgender policy.

#### V. PRAYER FOR RELIEF

The Plaintiff prays for judgment against the Defendants, as follows:

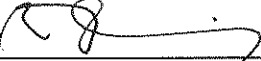
1. An order declaring the FBOP Transgender Policy is unconstitutional and was always unconstitutional, from its inception;
2. An order requiring the Defendants and their employees to permanently end all transgender policies;
3. An order preliminarily removing the Plaintiff from the custody of the FBOP for her safety, pending the resolution of this Complaint;
4. An award of compensatory, punitive, attorney fees, and nominal damages to the Plaintiff to be determined at trial;
5. An order retaining jurisdiction of this case until the Defendants have fully complied with the orders of this Court;
6. Equitable relief of a Consent Decree to bar future placement of biological male inmates in women's prisons; and,

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7. Any other relief the Court deems necessary.

Respectfully Submitted,



Rhonda Fleming, Plaintiff

July 8, 2025

FMC-Carswell


#20446-009

PO Box 27137

Fort Worth, Texas 76127

#### VERIFICATION

The Plaintiff swears under penalty of perjury, pursuant to 28 U.S.C. 1746 that all statements in this First Amended Complaint are true and correct to the best of her knowledge.




Rhonda Fleming, Declarant

July 8, 2025

#### CERTIFICATE OF SERVICE

Service is performed by the electronic filing of this Complaint by the U.S. District Clerk.



Rhonda Fleming, Plaintiff

TRULINCS 20446009 - FLEMING, RHONDA ANN - Unit: CRW-I-N

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FROM: 20446009  
TO:  
SUBJECT: TORT CLAIM  
DATE: 01/24/2025 06:40:32 PM

January 2, 2025

Regional Director-FBOP  
400 State Avenue, Tower II, Suite 800  
Kansas City, KS 66101

RE: TORT CLAIM--SEXUAL ABUSE

Dear Regional Director:

I have been sexually abused by the FBOP's transgender policy, which allows biological male inmates to shower and use the same restrooms with biological women

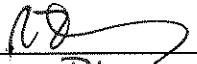
I have suffered fear of rape, sexual harassment, which caused me headaches, stomach pain, and anxiety.

The transgender policy is enforced at all women's federal prison, in violation of State criminal and civil statutes, involving voyeurism, a sex crime. The policy also violates my state law constitutional rights.

The prison officials are aware of the violations of my bodily privacy rights, yet continue, at every prison, to allow numerous male inmates to stalk me in the showers.

I do not want to be interviewed about this claim, unless my attorney is present. I will not provide any information without my attorney being present.

I am requesting \$10 million and an apology, acknowledging the transgender policy is against State laws in all 50 States.

  
Name Rhonda Fleming  
Reg. No. 20446-009  
Address OKC, OK

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Attorney David Pivtorak  
611 Wilshire Blvd, Suite 911  
Los Angeles, CA 90017-2905  
thepivtoraklaw@gmail.com  
Phone: 323-999-1112

This is the attorney handling Mozzy Clark's case in Washington State.

EX-A-1

TRULINCS 20446009 - FLEMING, RHONDA ANN - Unit: CRW-I-N

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FROM: 20446009

TO: Administrative Remedies

SUBJECT: \*\*\*Request to Staff\*\*\* FLEMING, RHONDA, Reg# 20446009, CRW-I-N

DATE: 01/31/2025 03:32:02 PM

To: Grievance Coordinator

Inmate Work Assignment: na

I need access to the grievance process. I am requesting forms for the issue sent to the Special Monitor, as written below.  
Thank you

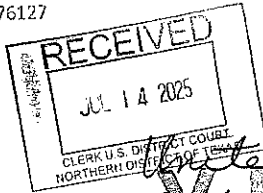
-----FLEMING, RHONDA ANN on 1/31/2025 3:30 PM wrote:

> *No response ever provided.*

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*EX-A-2*

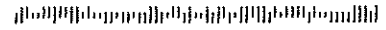
Rhonda Fleming #20446-009  
Federal Medical Center-Carswell  
PO Box 27137 2-North  
Fort Worth, Texas 76127



United States District Court  
Office of the Clerk  
501 West 10th Street  
Fort Worth, TX 76102

Legal Mail

75102-364185



PMAC Garwell  
P.O. Box 27086  
Fort Worth, TX 76117

Mailed: 07-07-2025  
The enclosed letter was processed through special  
procedures for forwarding to you. The letter  
has not been opened nor inspected. If the writer  
has a problem over which the facility  
may wish to retain the material  
of classification. (4)

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